



Division of the Budget

ANDREW M. CUOMO
Governor

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Director of the Budget

BUDGET BULLETIN	B-1215	May 1, 2015
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TO: ALL DEPARTMENT AND AGENCY HEADS

FROM: Mary Beth Labate *Mary Beth Labate*

SUBJECT: Repeal of 57 State Fees

The purpose of this bulletin is to ensure that all necessary parties are made aware of the repeal of 57 State fees.

Background

The 2015-16 Enacted Budget includes the repeal of 57 nuisance fees charged by six State agencies.

Overview

Effective April 1, 2015, affected agencies should cease imposition of the fees enumerated below, while maintaining functions previously associated with those fees. See [attachment](#) for legal citation of the impacted fee.

Department of Agriculture and Markets -- Ten fees are repealed:

- Commercial Feed License Fee - \$100 annual license fee collected from manufacturers of commercial feed.
- Commercial Feed Tonnage Fee - \$0.10 per ton annual license fee collected from commercial feed distributors when handling commercial feed of 100 tons or less per year.
- Farm Product Dealer's License Fee - \$20 annual license fee is collected from farm product dealers.
- Food Salvage Fee - \$100 license fee collected every two years from food salvage dealers.

- Liming Brands License Fee - \$40 license fee collected every two years from suppliers of liming materials.
- Refrigerated Warehouse Fee - \$200 license fee collected every two years from refrigerated warehouses.
- Rendering Plants Fee - \$100 annual license fee collected from operators of disposal plants plus \$10 per vehicle inspection fee.
- Rendering Transportation Fee - \$25 annual license fee collected from rendering transportation facilities plus \$10 per vehicle inspection fee.
- Seed Potato Inspection Fee - \$34 per hour fee collected for the inspection of both seed potato plants and seed potato tubers for the NY Seed Improvement Project.
- Soil and Plant Inoculants Fee - \$20 license fee collected every two years for the purpose of selling product brands which contain microorganisms for inoculation purposes.

Department of Environmental Conservation -- One fee is repealed:

- Flood Control Permit Fee - \$25 fee levied upon application of a permit to determine if the proposed activity will impair the operation of flood control works or impede the maintenance thereof, including access for operation and maintenance.

Department of Labor -- 30 fees are repealed:

- Antique Boiler Inspection Fees (2) - \$25 annual inspection fees collected from owners of antique steam engines and other boilers (internal and external).
- Boiler Certificate of Competency Fee - \$35 annual fee collected from inspectors working for authorized insurance companies to obtain a certificate indicating their ability to inspect boilers on behalf of DOL.
- Boiler Shop Survey Fee - \$600 fee collected every three years from boiler manufacturers and repairers upon submission to DOL of the required plan detailing their quality control system.
- Building Plans Exam Fee - \$200 fee collected from property owners or contractors who submit plans to DOL for review and approval to build or alter a place of public assembly.
- Commissary Operator Permit Fee - \$40 annual permit fee collected from commissary operators applying to operate a commissary serving migrant farm workers at the camp or processing plant where they are employed.
- Day of Rest Easement Application Fee - \$40 fee collected from employers applying for up to a one year exemption from the day of rest statute.
- Defense Dispensation Fee - \$40 fee collected from defense contractors and canneries applying for dispensation from certain provisions of Labor Law.

- Farm Grower Permit Fee - \$40 fee collected from agriculture growers applying for a one year permit allowing the grower to employ more than five non-H2A migrant farm workers.
- Farm Labor Contractor Permit Fee - \$200 fee collected from farm labor contractors applying for a one year permit to transport and provide non-H2A migrant farm workers to a grower.
- Industrial Homework Certificates Employer Application Fee - \$100 fee collected from manufacturers applying for a one year permit allowing the manufacturer to distribute unfinished material, such as clothing or jewelry, to employees for completion at their homes.
- Industrial Homework Certificates Homemaker Application Fee - \$25 fee collected from individuals applying for a one year permit enabling the individual to accept and perform industrial work in their homes.
- Laser Regulation Permit Fee - \$600 fee collected every three years from organizations operating lasers, upon registration of mobile lasers and laser installations with DOL.
- Miniature Boiler Inspection Fee - \$50 annual inspection fee collected from owners of miniature boilers.
- Professional Employer Organization Exemption Fee - \$250 annual fee collected from professional employer organizations that are already licensed in another state.
- Professional Employer Organization Initial Registration and Renewal Fees (2) - \$1,000 initial registration fee collected from professional employer organizations allowing the leasing of employees to businesses in New York, plus \$500 annual renewal fee.
- Scaffold Plan Examination Fee - \$1,000 fee collected from businesses submitting required scaffold equipment plans used to perform work on buildings taller than 75 feet.
- Ski Tows and Passenger Tramways Fees (2) - \$50 (ski tow) and \$100 (ski lift) annual inspection fees collected from ski areas and other passenger tramway operators.
- Slot Machine Repair License Fees (2) - \$500 per machine and \$100 per trainee permit fees collected every six months from approved apprenticeship training programs possessing slot machines for training purposes.
- Workplace Safety and Loss Certification Application Fee - \$1,000 fee collected from applicants certified to conduct workplace safety and loss prevention consultations.
- Workplace Safety and Loss DOL Consultation Fee - \$350 fee collected from clients receiving a workplace safety and loss prevention consultation from DOL staff.
- Workplace Safety and Loss Incentive Application and Renewal Fees (2) - \$100 fee collected from applicants certified as a workplace safety and loss prevention management specialist working with employers to reduce workers compensation costs by implementing safety and health, return to work, and/or drug and alcohol prevention programs, plus \$100 renewal fee per program every three years for a maximum of \$300.

- Workplace Safety and Loss Recertification Application Fee - \$300 recertification fee collected every three years from individuals certified to conduct workplace safety and loss prevention consultations.
- Workplace Safety and Loss Specialist Certification and Recertification Fees (2) - \$800 fee collected from individuals receiving certification as a workplace safety and loss prevention management specialist, plus \$600 recertification fee collected every three years with \$100 charged for each additional recertification.
- Written Assurances Fee - \$100 fee collected from apparel industry manufacturers or contractors upon application for a one year written assurance from DOL that a subcontractor has complied with certain requirements of the Labor Law.

Department of State -- Three fees are repealed:

- Apartment Information Vendor License Fee - \$400 annual license fee collected from apartment information vendors.
- Biennial Statement Filing Fee - \$9 filing fee collected at the time of filing biennial statement amendments.
- Cease and Desist List License Fee - \$10 fee is collected from persons who wish to be added to the Cease and Desist List prohibiting real estate licensees from contact or solicitation.

Department of Transportation -- One fee is repealed:

- Intrastate Authority Application Fee - \$50 fee collected from new trucking companies, movers, ambulette providers and charter bus operators when applying for certificates or permits.

Workers' Compensation Board -- 12 fees are repealed:

- Chiropractic Arbitration Request Fee - \$5 fee collected from service providers related to chiropractic disputes or bill arbitrations handled by the Board.
- Claimant's Representative License Fee - \$100 license fee collected from individuals representing claimants before the Board.
- Hospital Arbitration Request Fee - \$5 fee collected from service providers related to hospital disputes or bill arbitrations handled by the Board.
- Medical Arbitration Request Fee - \$5 fee collected from service providers related to medical disputes or bill arbitrations handled by the Board.
- Medical Center Authorization License Fee - \$200 license fee collected from compensation medical bureaus operated by qualified physicians for the diagnosis and treatment of industrial injuries or illnesses.

- Medical/X-Ray Bureau Authorization License Fee - \$200 license fee collected from compensation medical bureaus operated by qualified physicians for the diagnosis and treatment of industrial injuries or illnesses.
- Podiatry Arbitration Request Fee - \$5 fee collected from service providers related to podiatry disputes or bill arbitrations handled by the Board.
- Psychology Arbitration Request Fee - \$5 fee collected from service providers related to psychology disputes or bill arbitrations handled by the Board.
- Publication Fee - \$5 fee for purchasing Board publications.
- Self Insurer's Representative License Fee - \$100 license fee collected from third party administrators and/or self-insured employers representing employers at Board hearings.
- Subpoena Fee - \$15 fee collected for subpoenas to obtain Board documents.
- X-Ray Laboratory Authorization License Fee - \$5 license fee collected for a separate laboratory to engage in X-ray diagnosis or treatment of an injured worker.

Resources

Questions regarding this Bulletin should be directed to your agency's budget examiner.

[Attachment](#)

Repeal of 57 State Fees
Legal Citation

Department of Agriculture and Markets -- Ten fees are repealed:

<u>Fee</u>	<u>Description</u>	<u>Legal Citation</u>
Commercial Feed License Fee	\$100 annual license fee collected from manufacturers of commercial feed	Agriculture & Markets Law (AGM) § 128-a
Commercial Feed Tonnage Fee	\$0.10 per ton annual license fee collected from commercial feed distributors when handling commercial feed of 100 tons or less per year	AGM Law § 133-a
Farm Product Dealer's License Fee	\$20 annual license fee is collected from farm product dealers	AGM Law § 248
Food Salvage Fee	\$100 license fee collected every two years from food salvage dealers	AGM Law § 219
Liming Brands License Fee	\$40 license fee collected every two years from suppliers of liming materials	AGM Law § 142-ee
Refrigerated Warehouse Fee	\$200 license fee collected every two years from refrigerated warehouses	AGM Law § 231
Rendering Plants Fee	\$100 annual license fee collected from operators of disposal plants plus \$10 per vehicle inspection fee	AGM Law § 96-z-2
Rendering Transportation Fee	\$25 annual license fee collected from rendering transportation facilities plus \$10 per vehicle inspection fee	AGM Law § 96-z-2
Seed Potato Inspection Fee	\$34 per hour fee collected for the inspection of both seed potato plants and seed potato tubers for the NY Seed Improvement Project	N/A

<u>Fee</u>	<u>Description</u>	<u>Legal Citation</u>
Soil and Plant Inoculants Fee	\$20 license fee collected every two years for the purpose of selling product brands which contain microorganisms for inoculation purposes	AGM Law §147-b

Department of Environmental Conservation -- One fee is repealed:

<u>Fee</u>	<u>Description</u>	<u>Legal Citation</u>
Flood Control Permit Fee	\$25 fee levied upon application of a permit to determine if the proposed activity will impair the operation of flood control works or impede the maintenance thereof, including access for operation and maintenance	6 NYCRR S. 501.4

Department of Labor -- 30 fees are repealed:

<u>Fee</u>	<u>Description</u>	<u>Legal Citation</u>
Antique Boiler Inspection Fees (2)	\$25 annual inspection fees collected from owners of antique steam engines and other boilers (internal and external)	Labor Law (LAB) § 204 Sb. 3
Boiler Certificate of Competency Fee	\$35 annual fee collected from inspectors working for authorized insurance companies to obtain a certificate indicating their ability to inspect boilers on behalf of DOL	12 NYCRR 82.6
Boiler Shop Survey Fee	\$600 fee collected every three years from boiler manufacturers and repairers upon submission to DOL of the required plan detailing their quality control system	12 NYCRR 82.6

<u>Fee</u>	<u>Description</u>	<u>Legal Citation</u>
Building Plans Exam Fee	\$200 fee collected from property owners or contractors who submit plans to DOL for review and approval to build or alter a place of public assembly	LAB § 204-a 12 NYCRR 82.2
Commissary Operator Permit Fee	\$40 annual permit fee collected from commissary operators applying to operate a commissary serving migrant farm workers at the camp or processing plant where they are employed	LAB § 212-b, Sb. 1
Day of Rest Easement Application Fee	\$40 fee collected from employers applying for up to a one year exemption from the day of rest statute	LAB § 161, Sb. 5
Defense Dispensation Fee	\$40 fee collected from defense contractors and canneries applying for dispensation from certain provisions of Labor Law	Chapter 784 L. of 1951, § 74
Farm Grower Permit Fee	\$40 fee collected from agriculture growers applying for a one year permit allowing the grower to employ more than five non-H2A migrant farm workers	LAB § 212-a, Sb. 4(b)
Farm Labor Contractor Permit Fee	\$200 fee collected from farm labor contractors applying for a one year permit to transport and provide non-H2A migrant farm workers to a grower	LAB § 212-a, Sb. 2(b)
Industrial Homework Certificates Employer Application Fee	\$100 fee collected from manufacturers applying for a one year permit allowing the manufacturer to distribute unfinished material, such as clothing or jewelry, to employees for completion at their homes	LAB § 352, Sb. 2

<u>Fee</u>	<u>Description</u>	<u>Legal Citation</u>
Industrial Homework Certificates Homeworker Application Fee	\$25 fee collected from individuals applying for a one year permit enabling the individual to accept and perform industrial work in their homes	LAB § 352, Sb. 2
Laser Regulation Permit Fee	\$600 fee collected every three years from organizations operating lasers, upon registration of mobile lasers and laser installations with DOL	12 NYCRR 82.4
Miniature Boiler Inspection Fee	\$50 annual inspection fee collected from owners of miniature boilers	LAB § 204, Sb. 3
Professional Employer Organization Exemption Fee	\$250 annual fee collected from professional employer organizations that are already licensed in another state	LAB § 919, Sbs. 5 and 6
Professional Employer Organization Initial Registration and Renewal Fees (2)	\$1,000 initial registration fee collected from professional employer organizations allowing the leasing of employees to businesses in New York, plus \$500 annual renewal fee	LAB § 920
Scaffold Plan Examination Fee	\$1,000 fee collected from businesses submitting required scaffold equipment plans used to perform work on buildings taller than 75 feet	12 NYCRR 82.7
Ski Tows and Passenger Tramways Fees (2)	\$50 (ski tow) and \$100 (ski lift) annual inspection fees collected from ski areas and other passenger tramway operators	12 NYCRR 82.5

<u>Fee</u>	<u>Description</u>	<u>Legal Citation</u>
Slot Machine Repair License Fees (2)	\$500 per machine and \$100 per trainee permit fees collected every six months from approved apprenticeship training programs possessing slot machines for training purposes	LAB § 819, Sb. 5, 6, 7
Workplace Safety and Loss Certification Application Fee	\$1,000 fee collected from applicants certified to conduct workplace safety and loss prevention consultations	WKC § 134, Sb. 4 12 NYCRR 59-1.12(b)(8), (e), (g), (l)
Workplace Safety and Loss DOL Consultation Fee	\$350 fee collected from clients receiving a workplace safety and loss prevention consultation from DOL staff	WKC § 134, Sb. 5 12 NYCRR 59-1.10(c)
Workplace Safety and Loss Incentive Application and Renewal Fees (2)	\$100 fee collected from applicants certified as a workplace safety and loss prevention management specialist working with employers to reduce workers compensation costs by implementing safety and health, return to work, and/or drug and alcohol prevention programs, plus \$100 renewal fee per program every three years for a maximum of \$300	12 NYCRR 60-1.5, 1.6, 1.8
Workplace Safety and Loss Recertification Application Fee	\$300 recertification fee collected every three years from individuals certified to conduct workplace safety and loss prevention consultations	12 NYCRR 59-1.12(h)

<u>Fee</u>	<u>Description</u>	<u>Legal Citation</u>
Workplace Safety and Loss Specialist Certification and Recertification Fees (2)	\$800 fee collected from individuals receiving certification as a workplace safety and loss prevention management specialist, plus \$600 recertification fee collected every three years with \$100 charged for each additional recertification	WKC § 134, Sb. 10, 12 NYCRR 60-1.17(b), (i), (n)
Written Assurances Fee	\$100 fee collected from apparel industry manufacturers or contractors upon application for a one year written assurance from DOL that a subcontractor has complied with certain requirements of the Labor Law.	LAB § 345-a, Sb. 2

Department of State -- Three fees are repealed:

<u>Fee</u>	<u>Description</u>	<u>Legal Citation</u>
Apartment Information Vendor License Fee	\$400 annual license fee collected from apartment information vendors	Real Property Law Article 12-C § 446-b(2,3,5) § 446-d(2)
Biennial Statement Filing Fee	\$9 filing fee collected at the time of filing biennial statement amendments	Business Corp Law § 104-A(r) Limited Liability Comp. Law § 1101(c)
Cease and Desist List License Fee	\$10 fee is collected from persons who wish to be added to the Cease and Desist List prohibiting real estate licensees from contact or solicitation	19 NYCRR S. 175.17(5)

Department of Transportation -- One fee is repealed:

<u>Fee</u>	<u>Description</u>	<u>Legal Citation</u>
Intrastate Authority Application Fee	\$50 fee collected from new trucking companies, movers, ambulette providers and charter bus operators when applying for certificates or permits	Transportation Law §144 (referenced by §§ 153, 154, 155, 156, 173, 174, 175, 177, 192, 193, 195)

Workers' Compensation Board -- 12 fees are repealed:

<u>Fee</u>	<u>Description</u>	<u>Legal Citation</u>
Chiropractic Arbitration Request Fee	\$5 fee collected from service providers related to chiropractic disputes or bill arbitrations handled by the Board	Workers Compensation Law (WKC) § 13-I paragraph e of Subdivision 6
Claimant's Representative License Fee	\$100 license fee collected from individuals representing claimants before the Board	WKC § 24-a
Hospital Arbitration Request Fee	\$5 fee collected from service providers related to hospital disputes or bill arbitrations handled by the Board	WKC § 13-g Subdivision 4
Medical Arbitration Request Fee	\$5 fee collected from service providers related to medical disputes or bill arbitrations handled by the Board	WKC § 13-g Subdivision 4
Medical Center Authorization License Fee	\$200 license fee collected from compensation medical bureaus operated by qualified physicians for the diagnosis and treatment of industrial injuries or illnesses	WKC § 13-c Subdivision 3 paragraph b subparagraph (iii)
Medical/X-Ray Bureau Authorization License Fee	\$200 license fee collected from compensation medical bureaus operated by qualified physicians for the diagnosis and treatment of industrial injuries or illnesses	WKC § 13-c Subdivision 1 paragraph c

<u>Fee</u>	<u>Description</u>	<u>Legal Citation</u>
Podiatry Arbitration Request Fee	\$5 fee collected from service providers related to podiatry disputes or bill arbitrations handled by the Board	WKC § 13-k Subdivision 6 paragraph e
Psychology Arbitration Request Fee	\$5 fee collected from service providers related to psychology disputes or bill arbitrations handled by the Board	WKC § 13-m Subdivision 7 paragraph 3
Publication Fee	\$5 fee for purchasing Board publications	NYCRR Regulatory: Title 12, Chapter V, Subchapter C, Part 324.2, paragraph b
Self-Insurer's Representative License Fee	\$100 license fee collected from third party administrators and/or self-insured employers representing employers at Board hearings	WKC § 50 Subsection 3-b paragraph b
Subpoena Fee	\$15 fee collected for subpoenas to obtain Board documents	Civil Practice Laws and Rules §2307
X-Ray Laboratory Authorization License Fee	\$5 license fee collected for a separate laboratory to engage in X-ray diagnosis or treatment of an injured worker	WKC § 13-c Subdivision 1 paragraph c